



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1

Lori Ulrich (CONS/P)**Case No. 0255470**

Petitioner Ulrich, Helen Joan (Pro Per – Mother – Petitioner)
 Petitioner Ulrich, Louis Eugene, II (Pro Per – Brother – Petitioner)
 Petitioner Hunt, Linda Lee (Pro Per – Sister – Petitioner)

Petition for Appointment of Successor Probate Conservator of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 3/14/16 Voting rights affected – need minute order.	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/16/16	
			Updates:	
			Recommendation:	
			File 1- Ulrich	

Petition for Termination of Proceedings Due to Lack of Assets and Discharge of the Personal Representative.

DOD: 1/12/1989	DOLORES TRUJILLO , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 2/17/16. Minute order states a status report needs to be filed 15 days before the hearing. - As of 3/15/16 no additional documents have been filed. 1. Petition alleges that at the time of the appointment on 1/16/1990 bond was not ordered. Order appointing Administrator dated 1/16/1990 ordered bond set at \$8,000.00. Bond of \$8,000.00 was filed on 1/17/1990. 2. Petition references Exhibits A & B in regards to the Fresno County Auditor Controller Treasurer Tax Collector sale. No Exhibits are attached to the petition. Please see additional page
Cont. from 012016, 021716	Petitioner states she and Mary Ellen Rodriguez were appointed as Administrators of the estate without any IAEA authority. Bond was not ordered at that time (see note #1).	
<input type="checkbox"/> Aff.Sub.Wit.	Co-Administrator Mary Ellen Rodriguez passed away on 6/6/1998.	
<input checked="" type="checkbox"/> Verified	Petitioner states despite efforts to sell the property in the estate and pay delinquent taxes, the home is now under the control of the Fresno County Auditor Controller Treasurer Tax Collector and is scheduled for sale in March 2016.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner prays for an Order:	
<input type="checkbox"/> Aff.Mail	1. Terminating the proceedings due to lack of assets.	
<input type="checkbox"/> Aff.Pub.	2. Discharging the personal representative.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/16/16
		Updates:
		Recommendation:
		File 3B- Rodriguez

NEEDS/PROBLEMS/COMMENTS (cont):

3. The petitioner was appointed in 1990 and there was no activity in the estate until it was set for a status hearing in August 2014. The court may inquire why this estate has languished so long and if the personal representative has breached her fiduciary duty to in managing and controlling the estate with ordinary care and diligence. Probate Code §9600. The petition does not state how the real property was managed for 25 years. Was it vacant? Was it rented out? Was it listed for sale prior to 2014?

**First Account & Report of Successor Trustee of the Brooke Bertoldi Pooled
Special Needs Trust; Petition to Settle Account; to Decrease Bond; and to**

Allow Trustee Fees and Attorney Fees & Costs

		HERB THOMAS , Successor Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/18/14 – 11/30/15	Continued from 2/17/16. As of 3/16/16 the following issues remain:
Cont. from 021716		Accounting - \$114,708.16	<ol style="list-style-type: none"> Trust agreement allows a 1,500.00 annual fee for trust administration. In addition the disbursement schedule includes monthly Trust Department fees totaling \$412.68 without additional explanation and Trust Account prep fee of \$143.75. It is unclear what the annual fee covers if the trust is also paying monthly fees for the administration of the trust. Court may require clarification. Need bank statements. Probate Code 2620(c)(2). Order does not comply with Local Rule 7.6.1C – All orders settling accountings shall contain a statement as to the balance of the estate on hand, specifically noting the amount of cash in the balance.
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$ 51,005.26	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 43,833.34	
<input type="checkbox"/>	Inventory	Current Bond is \$129,000.00. Petition requests the bond be reduced to \$49,000.00 (o.k.)	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Trustee - \$212.50 (1.7 hours @ \$125.00 per hour)	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	Trust Administration fees - \$2,056.43 (already paid)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Attorney - \$3,702.50 (per itemization and declaration. 11.70 hrs of paralegal time at \$150/hr and 6.7 hrs of attorney time at \$295/hr)	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Costs - \$416.11 (filing fees, FedEx)	
<input type="checkbox"/>	Video Receipt	Petitioner requests the authority to receive interim compensation going forward based on his current hourly rate, subject to Court confirmation, in an amount not to exceed \$1,000.00 annually.	
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Please see additional page			Reviewed by: KT Reviewed on: 3/16/16 Updates: Recommendation: File 4A- Bertoldi

Petitioner prays for an Order:

1. Approving, allowing and settling the First Account and Report of Successor Trustee;
2. Make and order decreasing the bond to \$49,000.00;
3. Authorizing and directing payment to Herb Thomas trustees fees totaling \$212.50;
4. Authorizing Trustee to receive interim compensation going forward based on his hourly rate, and subject to Court confirmation, in an amount not to exceed \$1,000.00 annually;
5. Authorizing attorney fees of \$3,702.50 and costs of \$416.11.

Note: If the petition is granted, status hearings will be set as follows:

- **Wednesday, April 27, 2016** at 9:00 a.m. in Department 303, for the filing of the reduced bond.
- **Wednesday, February 28, 2018** at 9:00 a.m. in Department 303, for the filing of the second account of successor trustee.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Probate Status Hearing re: Proof of Notice to DMV

	FREMONT BANK , former Trustee, petitioned the court for approval of their first and final account.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 3/14/16. Minute order states Counsel represents that the state recently issued the lien number, and the Trustee is in the process of registering the Trust with the lien number. The Trustee has been told by the DMV that they must attend training, and the Trustee is hoping to do that within the next two weeks.
Cont. from 080315, 083115, 113015, 031416	HERB THOMAS is the current successor trustee.	<ol style="list-style-type: none"> Need proof that the Trust is a lienholder on the vehicle or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Aff.Sub.Wit.	The first and final account showed that Fremont Bank as Trustee for the Trust purchased a handicap equipped van for the beneficiary and distributed the van directly to the beneficiary.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order dated 6/29/15 states the court orders that the DMV is to be noticed that the Trust shall be the lienholder for the vehicle. Counsel is to submit a declaration verified by Herb Thomas.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Former Status Report filed on 11/25/15 states Charities Pooled Trust (CPT) has been attempting to secure a lien on the vehicle, however it may not do so until the DMV issues and Electronic Lien Title (ELT). The DMV has informed CPT that the ELT will not be available until January 2016. Once the ELT is received they will be able to place CPT as a lienholder on the vehicle.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/16/16
		Updates:
		Recommendation:
		File 4B – Bertoldi

Probate Status Hearing for the Filing of the Increased Bond.

		<p>CYNTHIA C. THOMAS and PAMELA J. THOMAS, are Co-Conservators.</p> <p>Co-Conservators' First Account for the account period ending 1/13/15 was approved on 12/11/15.</p> <p>Current bond is \$65,790.60.</p> <p>Order approving the accounting ordered the bond to be increased to \$133,035.00.</p> <p>This status hearing was set for the filing of the increased bond.</p> <p>Unverified Status Report filed on 2/18/16 states Petitioners request additional time to file the second account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Additional bond of \$67,325.40 filed on 3/7/16</p>
Cont. from 022416			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 3/16/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5- Coyle</p>	

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 2/24/14	RACHELLE IRELAND , Daughter, was appointed Executor with Full IAEA without bond on 4/16/15. Letters issued 4/17/15.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 061215, 071515, 090915	At the hearing on 4/16/15, the Court set this status hearing re filing the first account or petition for final distribution.	Minute Order 9/9/15: Counsel reports that the Fresno home has sold and closed escrow, but the North Fork home is still listed, with little activity due in part to the issue with smoke in the area. Furthermore, she has received documents that were needed and will begin work on the First Accounting.
Aff.Sub.Wit.	Final I&A filed 5/16/14 indicates a total estate value of \$199,122.60.	
Verified	Supplemental I&A filed 7/29/14 indicates an additional asset valued at \$43,919.00.	
Inventory	Various receipts have been filed in connection with distribution of misc. personal effects.	
PTC	Various creditor's claims have also been filed.	
Not.Cred.	Status Hearing Report filed 7/13/15 states on 6/16/15, she spoke on the phone at length with Realtor Russell Smith about the listing of the North Fork rental property. The sale price was recently reduced from \$105,000 to \$98,000, and there is an \$81,000 mortgage on the property. Mr. Smith stated that the wooden post holding the sale sign has been stolen several time, and that the neighborhood is not good. The house cannot qualify for an FHA loan so they are not reaching a majority of qualified buyers. Most homes sell in the summertime due to people looking for vacation homes, but there has been a decrease in tourism and activity the past couple of years. There were several evacuations due to forest fires and fire insurance rates have risen significantly. There are a couple of other listings in the area that have been on the market for over three years in better condition.	As of 3/16/16, nothing further has been filed.
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	The estate cannot close until both properties are sold, so Attorney Horton requests continuance for 60 days for further status.	
		Reviewed by: skc
		Reviewed on: 3/16/16
		Updates:
		Recommendation:
		File 8- Stafford

Probate Status Hearing

RE: Filing of the Inventory and Appraisal

DOD: 4/3/15	LINDA P. MCCLOUD , former spouse, was appointed Administrator with Will Annexed, with bond of \$1,883,274.00 on 10/6/15.	NEEDS/PROBLEMS/COMMENTS:
		1. Need Final Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.
Cont. from 021016	Bond was filed and Letters issued on 10/22/15.	Note: On 2/9/16, I&A Partial No. 1 was filed indicating \$1,055,217.24 cash. On 3/4/16, another document was filed that appears to be a photocopy of Page 1 of the I&A filed 2/9/16 (photocopied signatures by the Administrator and attorney), but which adds an original signature page of the probate referee and adds assets for a total of \$1,412,217.24. If this is intended to constitute the Final I&A, it is deficient. Need original Final I&A verified by the Administrator (original signatures).
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3/16/16
		Updates:
		Recommendation:
		File 10- McCloud

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<u>Minute Order 2/17/16</u> : Examiner notes given.
			The following issues remain:
			1. Petitioner filed a declaration of due diligence re the father on 1/14/16. If diligence is not found, need notice per Probate Code §1511.
			2. Notice of Hearing filed 11/17/15 does not indicate that a copy of the petition was included with service on maternal grandmother Denice Franklin. The Court may require further service.
			3. Need service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:
			- Paternal Grandfather
			- Paternal Grandmother
			- Maternal Grandfather
			Reviewed by: skc
			Reviewed on: 3/16/16
			Updates:
			Recommendation:
			File 13 - Franklin

Cont. from 121615, 021716		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/o
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	w
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	DSS Report	
✓	Clearances	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

Petition for Appointment of Guardian of the Estate

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Pursuant to Local Rule 7.8, it is the policy of the Court to block all funds in guardianship estates. Petitioner is encouraged to review Local Rule 7.8 in its entirety, including 7.8.1A-I (General Provisions), 7.8.2A-B (Accounting Requirements), and 7.8.3A-D (Withdrawals).</p> <p><u>Note:</u> All notice issues have been cured. The following remains noted for reference:</p> <ol style="list-style-type: none"> 1. This petition was filed with a fee waiver; however, upon receipt of funds, the filing fee of \$435.00 may be due. <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Wednesday, May 4, 2016 for the filing of the Receipt for Blocked Account (Form MF-356); • Wednesday July 20, 2016 for the filing of the Inventory and Appraisal pursuant to Probate Code §2610; and • Wednesday, May 24, 2017 for the filing of the First Account. <p>If the proper items are on file prior to the status dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>	
Cont. from 021016				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 3/16/16		
		Updates:		
		Recommendation:		
		File 15- Gonzalez		

Petitioner Maria Cruz Almeraz Nava (Pro Per – Paternal Great-Grandmother – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 3/9/16:</u> Examiner notes and clinic information provided in open court. The Court indicates that it will terminate the temporary orders on 3/23/16 if the mother has not been properly noticed. 1. It appears the mother was served regarding the general hearing on 4/4/16 only, but not regarding this temporary petition and hearing. The Court may require further service.
Cont. from 021016, 030916			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 3/16/16	
		Updates:	
		Recommendation:	
		File 27- Brown/ Haro	